

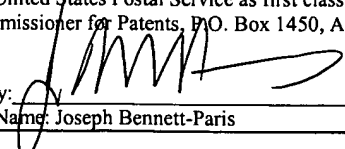
IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Fissore et al.	Examiner:	Not yet assigned
Serial No.:	10/747,772	Group Art Unit:	Not yet assigned
Filed:	December 29, 2003	Docket:	60141.0036usu1
Title:	Sperm-Induced Cellular Activation		

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop IDS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 17, 2004.

By:   
Name: Joseph Bennett-Paris

Mail Stop IDS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**23552**

PATENT TRADEMARK OFFICE

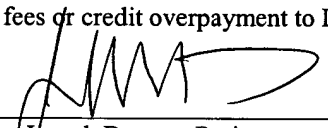
Sir:

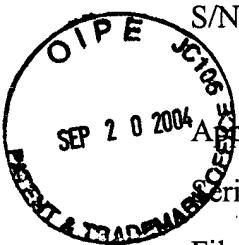
We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449, 5 Reference(s)
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5300

By:   
Name: Joseph Bennett-Paris  
Reg. No.: 47,226  
JBP.ssw



S/N 10/747,772

PATENT

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By: 

Name: Joseph Bennett-Paris

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(c))

Mail Stop IDS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. At least some of the references were recently cited in an International Search Report mailed 08/17/2004.

This statement should be considered because it is submitted after the mailing date of a first Office Action on-the-merits or a first Office Action after filing a Request for Continued Examination under 37 C.F.R. § 1.114 or a CPA under 37 C.F.R. § 1.53(d), but before the mailing date of: i) a final action under 37 C.F.R. § 1.113; ii) a Notice of Allowance under 37 C.F.R. § 1.311; or iii) an action that otherwise closes prosecution on the application. No fee is due as this statement is submitted as certified below under 37 C.F.R. § 1.97(e)(1) or (2) by the undersigned.

Certification Under 37 C.F.R. § 1.97(e)(1)

In accordance with 37 C.F.R. § 1.97(c) or § 1.97(d), the undersigned hereby certifies that each item of information listed on the enclosed Form 1449 was first cited in a communication

from a foreign patent office in a counterpart foreign application within three months of filing this statement.

**Certification Under 37 C.F.R. § 1.704(d)**

In accordance with 37 C.F.R. § 1.704(d), the undersigned hereby certifies that each item listed on the enclosed Form 1449 was cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement. Accordingly, no patent term adjustment is due for the filing of this Information Disclosure Statement.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

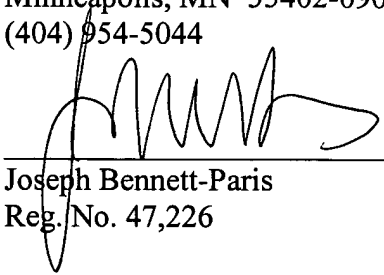


Date: September 17, 2004

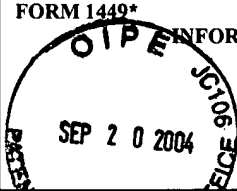
JMP:ssw

Respectfully submitted

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Joseph Bennett-Paris  
Reg. No. 47,226

<b>FORM 1449*</b>  <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number: 60141.0036usu1	Application Number: 10/747,772
	Applicant: Fissore	
	Filing Date: December 29, 2003	Group Art Unit: Not yet assigned

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,077,710	06-20-2000	Susko-Parrish et al.	435	375	
	6,211,429	04-03-2001	Machaty et al.	435	325	

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
	WO 00/40700	01-07-2000	PCT			YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
		Dozortsev, D., et al., "Sperm-associated oocyte-activating factor is released from the spermatozoon with 30 minutes after injection as a result of the sperm-oocyte interaction," Human Reproduction, 1997, pp. 2792-2796, vol. 12, no. 12. (XP 002289430)
		McGrath, James et al., "Completion of Mouse Embryogenesis Requires Both the Maternal and Paternal Genomes," Cell, May 1984, pp. 179-183, vol. 37, (XP 009032890)

<b>23552</b> PATENT TRADEMARK OFFICE	DATE CONSIDERED
	EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.